

Subject to Legal Review for Clarity and Consistency

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US-SINGAPORE FTA

SINGAPORE'S LIST OF ANNEX I & ANNEX II RESERVATIONS FOR THE CROSS-BORDER TRADE IN SERVICES AND THE INVESTMENT CHAPTERS

30 January 2003

Headnotes:

1. Reservations with references to any enterprise or entity apply equally to the successor enterprise or entity.
2. We have only entered a reservation against the specific discipline where a measure can be reserved against National Treatment and a more specific discipline (eg. where it can be reserved against both National Treatment and Local Presence, Performance Requirements and Senior Management/Board of Directors).
3. Local Presence and National Treatment are separate disciplines and a measure that is only inconsistent with Local Presence need not be reserved against National Treatment.
4. References to CPC codes refer to the provisional CPC codes as used in the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991) and are meant to scope the breadth of the reservation unless otherwise stated.
5. The carve-out for subsidies in the Chapter on Cross-Border Trade in Services includes subsidies or grants provided by a Party to service consumers.
6. The carve-outs for financial services, government services, subsidies and government procurement in the Chapter on Cross-border Trade in Services apply equally to the Investment Chapter.
7. Where an inconsistency arises in relation to the interpretation of a reservation, the Description column or portion of the reservation shall prevail to the extent of the inconsistency.
8. For greater certainty, the fact that Singapore has listed a measure in the existing measures element entry in this Annex does not necessarily mean that in the absence of such an Annex entry, the measure would be inconsistent with Singapore's obligations under Chapter 8 (Cross-Border Trade in Services), Chapter 10 (Financial Services), or Chapter 15 (Investment).

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Annex I

Sector:	All
Type of Reservation:	National Treatment
Level of Government:	Central
Measures:	Insurance Act, Cap. 142 MAS Notice 109, Banking Act, Cap.19 MAS Notice 757, Finance Companies Act, Cap. 108, MAS Notice 816, Monetary Authority of Singapore Act, Cap. 186, MAS Notice 1105 Securities Industry Act, Act 15 of 1986, MAS Notice 1201 / Securities and Futures Act, Cap. 289, MAS Notice 1201
Description:	<u>Investment</u> 1. Financial institutions extending Singapore dollar (S\$) credit facilities exceeding S\$5 million per entity to non-resident financial entities or arranging S\$ equity or bond issues for non-residents, must ensure that where the S\$ proceeds are to be used outside Singapore, they are swapped or converted into foreign currency upon draw-down or before remittance abroad. 2. Financial institutions should not extend S\$ credit facilities to non-resident financial entities if there is reason to believe that the S\$ proceeds may be used for S\$ currency speculation. The term “non-resident” is as defined in MAS Notice 757 issued under the Banking Act.
Phase Out:	-

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Sector:	Business Services
Subsector	Credit Bureau Services
Industry Classification	-
Type of Reservation	Market Access Local Presence
Level of Government	Central
Measures	Administrative measure pursuant to the Monetary Authority of Singapore Act, Cap. 186
Description	<u>Cross-border services and Investment:</u> Singapore reserves the right to limit the number of suppliers of credit bureau services where information provided by the supplier of credit bureau services is obtained from financial institutions in Singapore. The supplier must be established in Singapore and be subjected to requirements that include share ownership and other rights of the Association of Banks in Singapore.
Phase-out	None

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Sector: All

Subsector -

Industry
Classification -

Type of
Reservation National Treatment

Level of
Government Central

Measures Administrative

Description Investment:

The Government of Singapore may sell tranches of shares in enterprises that it owns to only Singapore citizens as part of the Asset Enhancement Scheme. However these shares will be freely transferable thereafter.

Phase-out None

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Sector	-
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Measures	This is an administrative policy of the Government of Singapore and is inscribed in the Memorandum and Articles of Association of PSA Corporation.
Description	<p><u>Investment:</u></p> <p>The aggregate of foreign shareholdings in PSA Corporation is subject to a 49% limit</p> <p>The “aggregate of foreign shareholdings” is defined as the total number of shares owned by:</p> <ul style="list-style-type: none">(a) Any individual who is not a Singapore citizen; and(b) Any corporation which is not more than 50% owned by Singapore citizens or by the Singapore Government; and(c) Any other enterprise which is not owned or controlled by the Singapore Government
Phase-out	-

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Sector	-
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Measures	This is an administrative policy of the Government of Singapore and is inscribed in the Memorandum and Articles of Association of the relevant enterprises below.
Description	<p><u>Investment:</u></p> <p>All investors, apart from the Singapore government, will be subject to the following equity ownership limits in the enterprises listed below:</p> <ul style="list-style-type: none">(a) Singapore Technologies Engineering - 15%(b) PSA Corporation – 5%,(c) Singapore Airlines – 5%(d) Singapore Power, Power Grid, Power Supply, Power Gas – 10% <p>For the purposes of this reservation, ownership of equity by an investor in these enterprises includes both direct and indirect ownership of equity.</p>
Phase-out	-

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Sector	All
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Level of Government Measures	Central Business Registration Act, Cap. 32 Companies Act, Cap. 50
Description	<p><u>Investment:</u></p> <p>Only a person who is a Singapore citizen, Singapore permanent resident or Singapore Employment Pass holder will be allowed to register a business without appointing a local manager.</p> <p>A local manager must be a Singapore citizen, Singapore permanent resident or Singapore Employment Pass holder.</p> <p>All locally incorporated companies must comply with the following requirements:</p> <ul style="list-style-type: none">(a) at least 1 director of the company must be resident in Singapore(b) all branches of foreign companies registered in Singapore must have at least 2 agents resident in Singapore. <p>To be resident in Singapore, a person should be either a Singapore citizen or Singapore permanent resident or Singapore Employment Pass holder.</p>
Phase-out	-

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Sector All

Sub-Sector -

I n d u s t r y -
Classification

T y p e o f National Treatment
Reservation Most-Favored-Nation Treatment

L e v e l o f Central
Government

Measures State Lands Act, Cap. 314

Description Investment:

Singapore may divest State Land in a manner inconsistent with
National Treatment and Most-Favored-Nation Treatment.

Phase-out -

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Sector	Business Services
Sub-Sector	Auditing services
Industrial Classification	-
Type of Reservation	National Treatment Local Presence
Level of Government Measures	Central Accountants Act, Cap. 2A
Description	<p><u>Cross-border Services and Investment:</u></p> <p>Only persons who are registered with the Institute of Certified Public Accountants of Singapore (ICPAS) and the Public Accountants Board (PAB) and resident in Singapore can be appointed as an approved company auditor.</p> <p>Corporations providing auditing services shall have to comply with the following requirements:</p> <ul style="list-style-type: none">(a) not less than two-thirds of the board of directors (including the Chairman) shall be Singapore registered public accountants;(b) the business of the corporation shall be under the control of the directors who are Singapore registered public accountants; and(c) not less than two-thirds of the voting shares of the corporation shall be owned by Singapore registered public accountants <p>All the partners in partnerships providing auditing services shall be Singapore registered public accountants.</p>
Phase-out	-

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Sector Business Services

Sub-Sector Architectural Services

Architectural services includes selling or supplying for gain or reward any architectural plan, drawing, tracing or the like for use in the construction, enlargement or alteration of any building or part thereof. It includes the certification and inspection of buildings for compliance with fire safety regulations.

Industry -
Classification

Type of National Treatment
Reservation Local Presence

Level of Central
Government

Measures Architects Act, Cap.12

Description Cross-border Services and Investment:

Only persons who are registered with the Board of Architects (BOA) and resident in Singapore are allowed to provide architectural services.

All corporations and partnerships (including those which are providing architectural services as part of a multi-disciplinary corporation or practice) providing architectural services must obtain a licence from the BOA. To qualify for the licence, the corporation or partnership must:

- (a) be under the control and management of a director or partner who is a registered architect resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to architectural services must be under the control and management of a director or partner who is a Singapore registered architect resident in Singapore; and
- (b) where corporations are concerned, at least 51% of the directors of the corporation must be Singapore registered architects or allied professionals; where partnerships are concerned, the beneficial interest in the capital assets and profits of the partnership must be held by Singapore registered architects or allied professionals

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Allied professionals are Singapore registered land surveyors and engineers.

Phase-out -

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Sector Business Services

Sub-Sector Land Surveying Services

Industry
Classification

-

Type of
Reservation

National Treatment

Local Presence

Level of
Government

Central

Measures Land Surveyors Act, Cap 156

Description Cross-border Services and Investment:

Only persons who are registered with the Land Surveyors Board (LSB), resident in Singapore and have had practical experience in surveying in Singapore are allowed to provide land surveying services.

All corporations and partnerships (including those which are providing land surveying services as part of a multi-disciplinary corporation or practice) providing land surveying services must obtain a licence from the LSB. To qualify for the licence, the corporation or partnership must:

- (a) be under the control and management of a director or partner who is a Singapore registered surveyor resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to land surveying services must be under the control and management of a director or partner who is a Singapore registered surveyor resident in Singapore; and
- (b) where corporations are concerned, all its directors must be Singapore registered surveyors or allied professionals and not less than two-thirds of each class of shares shall be beneficially owned by and registered in the names of Singapore registered surveyors and/or allied professionals; where partnerships are concerned, only Singapore registered surveyors and allied professionals can have a beneficial interest in the capital assets and profits of the partnership.

Allied professionals are Singapore registered engineers and architects.

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Phase-out	The requirement that not less than two-thirds of each class of shares of a corporation providing land surveying services be beneficially owned by and registered in the names of Singapore registered surveyors and / or allied professionals shall be phased out by January 2004.
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Sector:	Business Services
Sub-sector:	Legal Services
Industry Classification:	CPC 861 Legal Services
Type of Reservation:	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government:	Central
Measures:	Legal Profession Act Legal Profession (International Services) Rules

Description: Cross-border services and Investment:

Only persons who are already admitted to the Singapore Bar, registered as members with the Law Society of Singapore and holding a valid Practising Certificate are allowed to provide legal services in relation to Singapore law.

US law enterprises may only provide legal services in relation to Singapore law through a Joint Law Venture or Formal Law Alliance with a Singapore law enterprise, and only to the extent allowed by the laws, rules and regulations concerning Joint Law Ventures and Formal Law Alliances, and subject to the conditions and requirements relating to Joint Law Ventures and Formal Law Alliances. However, Singapore will modify these conditions and restrictions in favour of US law enterprises as follows:

(i) The minimum number of US lawyers resident in Singapore which the US law enterprise is required to maintain in a Joint Law Venture or a Formal Law Alliance shall be reduced from 5 to 3, at least 2 of whom shall be equity partners or a member of the Board of Directors of the US law enterprise.

(ii) The minimum relevant experience required of the 3 US lawyers referred to in paragraph (i) shall be considered on an aggregate basis of 15 years, rather than on the basis of an individual experience of 5 years for each foreign lawyer.

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(iii) The minimum required relevant experience for US lawyers working in a Joint Law Venture who wishes to apply to practise Singapore law under Section 130C of the Legal Profession Act shall be reduced from 5 years to 3 years;

(iv) Relevant experience for the purposes of paragraphs (ii) and (iii), in the case of Joint Law Ventures, shall be expanded from banking and finance work to include any of the related areas identified as “Tier 1” and “Tier 2” legal software in the 1999 Report of the Legal Services Review Committee.

(v) A Joint Law Venture involving a US law enterprise shall be allowed to practice corporate law in addition to banking and finance law.

US lawyers may prepare and appear in international commercial arbitration in Singapore provided that, where the law applicable to the dispute to which the arbitration relates is the law of Singapore, the US lawyer shall appear jointly with a Singapore lawyer who possesses a valid Practising Certificate.

Phase Out: -

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Sector	Business Services
Sub-Sector	Patent Agent Services
Industry Classification	-
Type of Reservation	National Treatment Local Presence
Level of Government	Central
Measures	Patents Act, Cap. 221
Description	<u>Cross-border Services and Investment:</u> Only persons registered with the Intellectual Property Office of Singapore (IPOS) and resident in Singapore are allowed to carry on a business, practise or act as a patent agent in Singapore. Only enterprises which have at least one Singapore registered patent agent as a director and partner, as the case may be, are allowed to carry on a business, practise or act as a patent agent in Singapore.
Phase-out	-

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Sector Business Services

Sub-Sector Professional Engineering services

Industry -
Classification

Type of National Treatment

Reservation Local Presence

Level of Central
Government

Measures Professional Engineers Act, Cap. 253

Description Cross-border Services and Investment:

Only persons who are registered with the Professional Engineers Board (PEB) and resident in Singapore are allowed to provide professional engineering services.

All corporations and partnerships (including those which are providing professional engineering services as part of a multi-disciplinary corporation or practice) providing professional engineering services must obtain a licence from PEB. To qualify for the licence, the corporation or partnership must:

- (a) be under the control and management of a director or partner who is a Singapore registered professional engineer resident in Singapore; where a multi-disciplinary corporation or partnership is concerned, the business of the corporation or partnership relating to professional engineering services must be under the control and management of a director or partner who is a Singapore registered professional engineer resident in Singapore; and
- (b) where corporations are concerned, at least 51% of the directors of the corporation must be Singapore registered professional engineers or allied professionals; where partnerships are concerned, the beneficial interest in the capital assets and profits of the partnerships must be held by Singapore registered professional engineers or allied professionals.

Allied professionals are Singapore registered land surveyors and architects.

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Phase-out	-
Sector	Business Services
Sub-Sector	Real Estate Services (as qualified in the Descriptions column)
I n d u s t r y Classification	CPC 82202 Non-residential property management services on a fee or contract basis (as qualified in the Descriptions column)
T y p e o f Reservation	National Treatment Market Access
L e v e l o f Government	Central
Measures	Sentosa Development Corporation Act, Cap. 291
Description	<p>Cross-border Services and Investment:</p> <p>Only the Sentosa Development Corporation is allowed to develop and manage the resort island of Sentosa and its waterways and the Southern Islands of Singapore.</p> <p>However, private developers are allowed to develop specific plots of land on Sentosa and the Southern Islands for commercial, residential and recreational purposes.</p>
Phase-out	-

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Sector	Development and ownership of residential property
Sub-Sector	-
Industry Classification	=
Type of reservation	National Treatment
Level of Government	Central
Measures	Residential Property Act, Cap 274 Housing and Development Act, Cap. 129 Executive Condominium Housing Scheme Act, Cap. 99A
Description	<p><u>Investment</u></p> <p>1. Only Singapore citizens and Singapore enterprises are allowed to own restricted residential properties in Singapore.</p> <p>“Restricted residential properties” is defined under the Residential Property Act as all properties except the following:</p> <ul style="list-style-type: none">(a) Land zoned/approved for industrial/commercial use;(b) Any flat which is comprised in a building of 6 levels or more (including the ground level and any level below the ground level);(c) Any unit which is comprised in a condominium development as approved by the competent authority. <p>Note: For (b) and (c) only Singapore citizens and Singapore enterprises can purchase/acquire the whole development.</p> <p>All service suppliers, with the exception of Singapore citizens or Singapore enterprises, that develop privately owned residential land will be given 24-36 months for obtaining the Temporary Occupation Permit (TOP) for the development. They are required to sell all the flats or dwelling houses in the development, or the entire development where the development comprises one or more buildings not subdivided into units for sale, within two years from the issue of the Temporary Occupation Permit.</p> <p>All service suppliers, with the exception of Singapore citizens or Singapore enterprises, that develop state land parcels sold by the Government will be given up to 2 years after TOP to sell all the</p>

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flats or dwelling houses that are classified as restricted residential properties in the development, or the entire development where the development comprises one or more buildings not subdivided into units for sale.

For the purposes of paragraph 1, "Singapore enterprises" are enterprises which are locally incorporated or organised and whose members and directors are composed solely of Singapore citizens.

2. Only Singapore citizens are allowed to own an apartment developed or owned by the Housing and Development Board. Singapore permanent residents who form part of a family nucleus and bodies corporate approved under the Housing and Development Act may own HDB apartments purchased in the secondary market.

Only Singapore citizens are allowed to own housing accommodation sold under the executive condominium scheme under the Executive Condominium Housing Scheme Act. Singapore permanent residents will be allowed to own Executive Condominiums after the expiry of a minimum occupation period as specified under the Executive Condominium Housing Scheme Act. Restrictions on foreign ownership of Executive Condominiums will be lifted 5 years after the expiry of the minimum occupation period.

HDB flats owned wholly by Singapore Permanent Resident(s) may be vested in the Official Assignee on bankruptcy of the owner(s).

Phase-out

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Sector	Ownership of residential and industrial property
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment
Level of Government Measures	Central State Lands Act, Cap. 314 Housing and Development Act, Cap. 129 Jurong Town Corporation Act, Cap. 150
Description	<u>Investment:</u> Only the purchase of apartments developed by HDB, including Executive Condominiums, may be subsidised. Singapore citizens or permanent residents who are affected by relocation or development measures will be given subsidies only for the purchase of apartments and industrial estates developed by HDB.
Phase-out	-

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Sector	Development of residential, commercial and industrial properties
Sub-Sector	=
Industry Classification	=
Type of Reservation	Local Presence Market Access
Level of Government	Central
Measures	This is an administrative measure and is inscribed in the conditions of tender for the sale of State Land.
Description	<u>Cross-border Services :</u> With the exception of residential properties with 4 units or less and projects given conservation status, all developers of all residential, commercial and industrial properties on State Land sites sold by the Government are required to incorporate a new company in Singapore solely to undertake the project of developing the site. For transparency purposes, all such developers must hold a controlling equity interest in the company until a Temporary Occupation Permit (TOP) is issued by the Commissioner of Building Control for the whole project.
Phase-out	-

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Sector	Business Services
Sub-Sector	Testing, analytical and certification services on animals, plants, and products derived from animals and plants
Industry Classification	=
Type of Reservation	Local Presence
Level of Government	Central
Measures	Agri-Food and Veterinary Authority Act, Act 16 of 2000
Description	<p>Cross-border Services:</p> <p>Only service suppliers with local presence shall be allowed to provide testing, analytical and certification services on animals, plants, and products derived from animals and plants, physically present in Singapore, including where such items are intended for import, export and import for the purposes of re-export.</p>
Phase-out	-

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Sector	Business services n.e.c. – Investigation and security services
Sub-Sector	Private Investigation Services Unarmed Guard Services
Industry Classification	CPC 87301 Investigation Services CPC 87302 Security Consultation Services CPC 87305 Guard Services (only applies to unarmed security guard services)
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Senior Management and Board of Directors
Level of Government	Central
Measures	Private Investigation and Security Agencies Act, Cap. 249
Description	Cross-border Services and Investment: Only Singapore citizens or permanent residents and Malaysian citizens can be employed as security guards or as private investigators in enterprises providing private investigation or security guard services. Foreigners can be involved in the administration of the enterprise. All enterprises providing unarmed guard services are precluded from escorting cash-in transit operations of S\$250,000 and above. Please also note Singapore's reservation for armed guard services in Annex II.
Phase-out	-

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Sector	Community, Personal and Social Services
Sub-Sector	Services of co-operative societies
Industry Classification	CPC 959 Services furnished by membership organisations n.e.c.(only applies to co-operative society services)
Type of Reservation	National Treatment Senior Management and Board of Directors Local Presence
Level of Government	Central
Measures	Co-operative Societies Act, Cap. 62
Description	<p>Cross-border Services and Investment:</p> <p>Only service suppliers with local presence can be registered under the Co-operative Societies Act. Registration allows a co-operative society to be exempt from taxation measures applicable to other enterprises.</p> <p>Only Singapore citizens are allowed to hold office or be a member of the management committee of a co-operative society.</p> <p>A person who is not a Singapore citizen can form and join a co-operative society if he or she is resident in Singapore.</p> <p>Foreigners may be allowed to hold office or be a member of the management committee of a co-operative society, on a case by case basis.</p> <p>A foreign co-operative society may be allowed to acquire the shares of a Singapore co-operative society, on a case by case basis.</p>
Phase-out	-

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Sector	Community, Social and Personal Services
Sub-Sector	Services furnished by trade unions
Industry Classification	CPC 952 Services furnished by trade unions
Type of Reservation	Local Presence Senior Management and Board of Directors
Level of Government	Central
Measures	Trade Unions Act, Cap. 333
Description	Cross-border Services and Investment: Only service suppliers with local presence can register as a trade union and provide trade union services within Singapore. Office-bearers of a trade union must be Singapore citizens
Phase-out	-

Subject to Legal Review for Clarity and Consistency

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Sector	Education Services
Sub-Sector	Higher Education Services in relation to the training of doctors
Industry Classification	CPC 92390 Other Higher Education Services (Only applies to Higher Education Services in relation to the training of doctors)
Type of reservation	National Treatment
Level of Government	Central
Measures	Administrative
Description	<u>Investment:</u> Only local universities are allowed to operate undergraduate or graduate programmes for the training of doctors. Local universities are universities which are established pursuant to an Act of Parliament.
Phase-out	-

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Sector	Health and Social Services
Sub-Sector	Contact Lens Practitioners Deliveries and related services, nursing services, physiotherapeutic and para-medical services (only for nursing and midwife services)
Industry Classification	- CPC 93191 Deliveries and related services, nursing services, physiotherapeutic and para-medical services (Only applies to nursing and midwife services)
Type of Reservation	Local Presence
Level of Government	Central
Measures	Nurses and Midwives Act, Cap 209 Contact Lens Practitioner Act, Cap. 53A
Description	<u>Cross-border Services:</u> <u>Contact Lens Practitioners</u> Only persons who are resident in Singapore are allowed to be Contact Lens Practitioners. <u>Nurses and midwives</u> Only persons who are registered with the Singapore Nursing Board and resident in Singapore are allowed to provide nursing or midwife services.
Phase-out	-

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Sector	Health and Social Services
Sub-Sector	Medical Services
Industry Classification	CPC 9312 Medical Services
Type of Reservation	National Treatment Local Presence
Level of Government	Central
Measures	Medical Registration Act, Cap. 174
Description	<u>Cross-border Services:</u> Only persons who are registered with the Singapore Medical Council and resident in Singapore can provide medical services. Persons seeking to be registered with the Singapore Medical Council and who are not Singapore citizens will have to complete 6 years of conditional registration before he or she is eligible for full registration.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

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Sector	Health and Social Services
Sub-Sector	Pharmacy Services
Industry Classification	-
Type of Reservation	Local Presence
Level of Government	Central
Measures	Pharmacists Registration Act, Cap 230 Medicines Act, Cap 176
Description	<u>Cross-border Services:</u> Only persons who are registered with the Singapore Pharmacy Board and resident in Singapore are allowed to provide pharmacy services. Only Singapore registered pharmacists (apart from medical professionals) can prepare, dispense, assemble or sell medicinal products as defined under the Medicines Act, Cap 176.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

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Sector	Import, export and trading services
Sub-Sector	-
Industrial Classification	-
Type of Reservation	Local Presence
Level of Government	Central
Measures	Regulation of Imports and Exports Act, Cap. 272 A Regulation of Imports and Exports Regulation
Description	<u>Cross-border Services:</u> Only enterprises with local presence are allowed to apply for import/export permits, certificates of origin or other trade documents from the relevant authorities.
Phase-out	-

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Sector Manufacturing and services incidental to manufacturing

Sub-sector -

I n d u s t r y -
Classification

T y p e o f National Treatment
Reservation Performance Requirement
Most-Favoured-Nation Treatment

L e v e l o f Central
Government

Measures Control of Manufacture Act, Cap 57

Description Cross-border Services and Investment:

The manufacture of the following products in Singapore may be subject to certain restrictions:

- (a) Beer and stout
- (b) Cigars
- (c) Drawn steel products
- (d) Chewing gum, bubble gum, dental chewing gum or any like substance
- (e) Cigarettes
- (f) Matches

Phase out -

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Sector	Post and Telecommunications Services
Sub-Sector	Postal Services (see Description)
Industry	-
Classification	
Type of	National Treatment
Reservation	Market Access Local Presence Performance Requirements
Level of	Central
Government	
Measures	Postal Services Act, Cap. 237A
Description	<p>Cross-border Services and Investment:</p> <p>(a) Only Singapore Post Pte Ltd is allowed to convey letters and postcards and perform all incidental services of receiving, collecting, sending, dispatching and delivering of letters and postcards.</p> <p>A letter is defined as any written or printed communication in the nature of current and personal correspondence. Current correspondence refers to daily correspondence between individuals and organisations, while personal correspondence refers to any correspondence that is addressed to any person, company or organisation by name or designation. A postcard means a card recognised as a postcard in accordance with the terms of the Convention regulating the affairs of the Universal Postal Union.</p> <p>(b) Paragraph (a) of this reservation does not apply to express letter services, which is defined as a local or an international express letter service or both. This service is administered under the Telecommunications (Class License for Postal Services) Regulations 1997.</p> <p>Local express letters must be delivered and received in the same working day, and charges must be more than S\$1 per item or 3 times Singapore Post's postage for a 20 gram non-express letter, whichever is higher.</p> <p>An outgoing international express letter must be delivered faster than Singapore Post's published delivery standards for outgoing (non-express) airmail letters and must have a price which is at least 3 times higher than Singapore Post's non-express rate for a 20 gram airmail</p>

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letter to the same country of destination.

Incoming international express letters must be delivered by the same working day.

For the purposes of this reservation, a working day is defined as: 1) Mondays to Fridays, 8am to 5am; (2) Saturday 8am to 1pm; but excluding Sundays and Public Holidays.

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- (c) Service suppliers providing express letter services must have a local presence in Singapore.
- (d) For the purposes of clarity, express delivery services are not covered by paragraph (a) of this reservation. Express delivery services means –
 - (i) the expedited collection, transport and delivery of documents, printed matter, parcels and/or other goods, while tracking the location of, and maintaining control over, such items throughout the supply of the services. Express delivery services involving letters must meet the standards of express letter services stated in paragraph (b) and (c); and
 - (ii) services provided in connection therewith, including, but not limited to, customs-related services and logistics services for the purposes of providing express delivery services.

Express delivery services may also include collection from an address designated by the sender; release upon signature; guarantee of delivery within a specified time; electronic and/or other advanced technologies; and ability of the sender to confirm delivery. Express delivery services does not include (1) air transport services (2) services supplied in the exercise of government authority; and (3) maritime transport services

- (e) Singapore Post Pte Ltd is prohibited from using revenues from the provision of services described in paragraph (a) to cross-subsidise in an anti-competitive manner the price of services described in paragraph (b).

Phase-out -

Subject to Legal Review for Clarity and Consistency

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Sector	Post and Telecommunications Services
Sub-Sector	Telecommunications Services
Industry Classification	-
Type of Reservation	Local Presence Market Access
Level of Government	Central
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act (Cap. 323)
Description	<p><u>Cross-border Services:</u></p> <p>All Services-based operators and Facilities-based operators must be incorporated as companies under the Companies Act, Chapter 50 (1994).</p> <p>Facilities-based operators are operators who deploy any form of telecommunication networks, systems and facilities, outside of their own property boundaries, to offer telecommunication services to third parties, which may include other licensed telecommunication operators, business customers or the general public.</p> <p>Services-based operators are operators who lease telecommunication network elements (such as transmission capacity and switching services) from any Facilities-Based Operator (FBO) licensed by the IDA so as to provide their own telecommunication services, or to resell the telecommunication services of FBOs, to third parties.</p>
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Post and Telecommunications Services
Sub-Sector	Telecommunications Services Domain name allocation policies in Internet country code top level domains (ccTLDs) corresponding to Singapore territories (.sg)
Industry Classification	-
Type of Reservation	Market Access Local Presence
Level of Government	Central
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act (Cap. 323) The Internet Corporation for Assigned Names and Numbers (ICANN), which recognises the ultimate authority of sovereign Governments over ccTLDs corresponding to their territories.
Description	<u>Cross-border Services:</u> Only registrars that are registered under the Companies Act (Cap. 50) are allowed to provide registration services for the .sg domain name.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Power supply
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	Cross-border services: Power producers located outside of Singapore are only allowed to supply power to Singapore's wholesale power market. The amount of power supplied cumulatively by power producers located outside of Singapore to Singapore's wholesale power market cannot exceed 600 MW.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Power supply (only applies to the supply of electricity)
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	<p>Cross-border Services and Investment:</p> <p>Only Power Supply can supply electricity to</p> <p>(i) all household consumers of electricity; and</p> <p>(ii) non-household consumers of electricity with maximum demand below 2 MW.</p>
Phase-out	<p>Retail competition would be extended to all extra high tension (EHT) and high tension (HT) consumers, and low tension (LT) non-household consumers with an annual consumption exceeding 240,000 kWh two months after the new wholesale electricity market opens in the second half of 2002. This is known as Phase I.</p> <p>Subsequently, under Phase II, competition would be introduced to additional LT non-household consumers with an annual consumption exceeding 120,000 kWh, six months after Phase I.</p> <p>In the final phase now scheduled for implementation by 2003, the retail sector would be fully opened to the remaining consumers (mainly household consumers).</p>

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Power transmission and distribution
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority Act, Act 9 of 2001
Description	Cross-border Services and Investment: Only Power Grid is allowed to provide an open access power transmission and distribution network.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transportation and distribution of manufactured gas and natural gas (piped gas)
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Market Access
Level of Government	Central
Measures	Energy Market Authority of Singapore, Act 9 of 2001
Description	Cross-border Services and Investment: Only Power Gas is allowed to transport and distribute manufactured and natural gas (piped gas)
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Trade services
Sub-Sector	Distribution and Sale of Hazardous Substances
Industrial Classification	-
Type of Reservation	Local Presence
Level of Government	Central
Measures	Environmental Pollution Control Act, Cap. 94A
Description	<u>Cross-border Services:</u> Only service suppliers with local presence are allowed to distribute and sell hazardous substances (as defined in the Environmental Pollution Control Act)
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Trade services
Sub-Sector	Retailing Services Wholesale Trade Services
Industry Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Measures	Medicines Act, Cap. 176
Description	<p><u>Cross Border Services and Investment:</u></p> <p>Only service suppliers who appoint a local agent are allowed to provide wholesale, retail and distribution services for medical and health-related products and materials, intended for the purpose of treating, alleviating, preventing or diagnosing any medical condition, disease or injury, as well as any other such items that may have an impact on the health and well-being of the human body.</p> <p>Such products and materials include but are not limited to drugs and pharmaceuticals, traditional medicines, health supplements, diagnostic test kits, medical devices, cosmetics, tobacco products, radioactive materials and irradiating apparatuses.</p>
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector Transport Services

Sub-Sector Air Transport Services - Ground Handling Services (including Cargo Handling Services)

I n d u s t r y -
Classification

T y p e o f National Treatment
Reservation Market Access

L e v e l o f Central
Government

Measures Civil Aviation Authority of Singapore Act, Cap. 41

Description Cross-border Services and Investment:

Only SATS (Singapore Airport Terminal Services) and CIAS (Changi International Airport Services) are allowed to provide ground handling services, including cargo handling services, at airports.

This reservation does not apply to ground handling services which designated airlines of the United States can provide in Singapore within the terms of the Multilateral Agreement on the Liberalisation of International Air Transportation (MALIAT) or within the terms of the Air Transport Agreement (ATA) between the Government of the United States of America and the Government of the Republic of Singapore, signed at Singapore on 8 April, 1997, should the MALIAT be terminated between Singapore and the United States and the ATA no longer be suspended.

Phase-out -

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport Services
Sub-Sector	Air Transport Services – Passengers Transportation by Air Freight Transportation by Air
I n d u s t r y Classification	CPC 731 Passenger Transportation by Air CPC 732 Freight Transportation by Air
T y p e o f Reservation	National Treatment Market Access
L e v e l o f Government	Not applicable
Measures	Not applicable
Description	<p>Cross-border Services and Investment:</p> <p>The Singapore Government does not impose foreign ownership limits on Singapore designated airlines. However, enterprises providing air transport services (for both passenger and freight) as a Singapore designated airline shall have to comply with the “effective control” and/or “substantial ownership” requirements of Singapore’s bilateral and multilateral air services agreements.</p> <p>Compliance with the requirements of these agreements may require these enterprises to impose a 49% limit on the foreign ownership of its shares.</p>
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport Services
Sub-Sector	Water Transport Services Cargo Handling Services Pilotage Services
Industry Classification	CPC 741 Cargo Handling Services CPC 74520 Pilotage and Berthing Services (only applies to Pilotage Services)
Type of Reservation	National Treatment Market Access
Level of Government	Central
Measures	Maritime and Port Authority of Singapore Act, Cap 170A
Description	Cross-border Services and Investment: Only PSA Corporation and Jurong Port are allowed to provide cargo handling services. Only PSA Marine is allowed to provide pilotage services.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport Services
Sub-Sector	Water Transport Services – Registration of ships under Singapore flag
Industry Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Measures	Merchant Shipping Act, Cap. 179
Description	<p>Cross-border services and Investment:</p> <p>Only a Singapore citizen or permanent resident or Singapore enterprise may register a ship under the Singapore flag.</p> <p>All enterprises seeking to register ships under the Singapore flag must appoint a ship manager who is resident in Singapore.</p> <p>Vessels or ships owned by Singapore legal persons that are not majority owned by Singapore citizens, Singapore permanent residents shall be of at least 1,600 Gross Tonnage and be self-propelled before they can be registered under the Singapore flag.</p> <p>For the purposes of this reservation, a Singapore legal person is a locally incorporated company.</p>
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport Services
Sub-Sector	Water Transport Services – Seaman Services
Industry Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Measures	Maritime and Port Authority of Singapore Act, Cap. 170A, Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations
Description	Cross-border Services: Only Singapore citizens and permanent residents can register as Singapore seamen.
Phase-out	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Annex II

Type of Reservation	National Treatment Market Access Local Presence Senior Management and Board of Directors
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Level of Government	Central
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Cross-Border Services and Investment

I. Devolution of Services Provided in the Exercise of Governmental Authority

1 Singapore reserves the right to adopt and maintain the following measures solely as part of the act of devolving a service, that it is providing in the exercise of governmental authority at the time the Agreement enters into force*:

- a) restricting the number of service suppliers,
- b) allowing an enterprise, wholly or majority owned by the Government of Singapore, to be the sole service supplier or one amongst a limited number of service suppliers,
- c) imposing restrictions on the composition of Senior Management and Board of Directors,
- d) requiring local presence,
- e) specifying the juridical form of the service supplier(s).

2 To the extent possible, Singapore shall inform the United States of a service that it is providing in the exercise of governmental authority that it intends to devolve. Singapore shall maintain information demonstrating that any service that it devolves was being provided in the exercise of governmental authority as of the date this Agreement enters into force, and upon request, provide this information to the United States prior to devolving any such service.

3 Where devolution is accompanied by a sale of shares or assets to any person, such sale shall be conducted in a manner that does not deny US investors national treatment. For clarity, a sale of shares or assets does not occur when the Government of Singapore wholly owns the shares and assets of an enterprise and then transfers, for a consideration, these shares and assets to a government holding company that it wholly owns.

4 Once any competition is allowed in a devolved service, it shall be permitted on a non-discriminatory basis and no preferential treatment shall be provided to the newly corporatized enterprise except as provided in paragraph 1.

Subject to Legal Review for Clarity and Consistency

DRAFT

Devolution of a service means allowing an enterprise, wholly or majority-owned by the Government of Singapore and organized under the laws of Singapore, to take over and supply on a commercial basis, services that were provided in the exercise of governmental authority as of the date this Agreement enters into force.

II. Divestment of Government Ownership Interests After Devolution

If pursuant to Section I. of this reservation, Singapore has devolved a service to an enterprise that it wholly-owns and was organized under the laws of Singapore, and where justified by public health, welfare, safety concerns, or to safeguard the viability of critical economic infrastructure, Singapore reserves the right to adopt and maintain the following measures regarding the sale of any shares in that enterprise or any assets of that enterprise to any person:

- a) foreign ownership limitation: limit foreign ownership to no greater than 49 % of the shares of the enterprise.
- b) single share ownership limitation: impose non-discriminatory single-share ownership limits on private investors of 5 % or more of the share of the enterprise.
- a) preferential shareholder rights: reserve preferential shareholder rights for itself.
- b) senior management and board of directors restrictions: impose restrictions on the composition of senior management and board of directors, provided that foreign investors are allowed to have representation on the board of directors that recognizes their ownership levels relative to other shareholders.

*A service supplied in the exercise of governmental authority means any service which is supplied neither on a commercial basis, nor in competition with one or more service suppliers.

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	-
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	<u>Cross-Border Services and Investment:</u> Singapore reserves the right to adopt and maintain any measure in relation to the divestment of the administrator and operator of airports.
Existing Measures	

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	All
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or to maintain any measure in relation to the provision of health services by government owned or controlled healthcare institutions (including investments in those institutions), social security and public training.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector All

Sub-Sector -

Industry
Classification -

Type of
Reservation Market access

Level of
Government Central

Description Cross-Border Services:

Singapore reserves the right to adopt or maintain any measure in relation to the type of activities which may be conducted on land or the usage of land in accordance with its land zoning and land use policies. These measures are not aimed at but may result in market access limitations.

Existing -
Measures

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Broadcasting Services Broadcasting services refers to the scheduling of a series of literary and artistic works by a content provider for aural and/or visual reception, and for which the content consumer has no choice over the scheduling of the series.
Sub-Sector	-
Industry Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to broadcasting services receivable by Singapore's domestic audience and to the allocation of spectrum in relation to broadcasting services. This reservation does not apply to the sole activity of transmitting licensed broadcasting services to a final consumer.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Business Services
Sub-Sector	Legal Services
Industry Classification	CPC 861 Legal Services
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence
Level of Government	Central
Description	<u>Cross-Border Services:</u> Singapore reserves the right to adopt or maintain any measure in relation to the certification, registration and admission of persons who are seeking to supply or are supplying legal services in relation to Singapore law, including the recognition of educational and professional qualifications for the purposes of such certification, registration and admission.
Existing Measures	Legal Profession Act, Cap. 161

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Business services n.e.c.
Sub-Sector	Armed Escort Services Armed Guard Services
I n d u s t r y Classification	- CPC 87305 Guard Services (only applies to armed security guard services)
T y p e o f Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<p><u>Cross-border Services and Investment:</u></p> <p>Singapore reserves the right to adopt or maintain any measure in relation to the provision of armed escort and armed guard services.</p> <p>For transparency purposes, only the Commercial and Industrial Security Corporation (CISCO) established under the Commercial and Industrial Security Corporation Act is allowed to provide such services in Singapore.</p>
E x i s t i n g Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Business services n.e.c.
Sub-Sector	Betting and Gambling Services
Industrial Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of betting and gambling services.
Existing Measures	Betting Act, Cap. 21 Common Gaming Houses Act, Cap. 49

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Collection and administration of proprietary government information
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure relating to the collection and administration of proprietary government information gathered by entities such as CrimsonLogic. This reservation does not apply to the development of software and systems used in the collection and administration of such information and does not preclude the management and maintenance of such software and systems by US service suppliers.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Defence
Sub-Sector	-
Industrial Classification	-
Type of Reservation	National Treatment
Level of Government	Central
Description	<p><u>Investment:</u></p> <p>Singapore reserves the right to adopt or maintain any measure in relation to the retention of a controlling interest by the Singapore Government in Singapore Technologies Engineering (the Company), including controls over the appointment and termination of members of the Board of Directors, divestment of equity and dissolution of the Company for the purpose of safeguarding the security interest of the Republic of Singapore.</p>
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Educational Services
Sub-Sector	Preschool Education Services Other Primary Education Services Secondary Education Services Higher Secondary Education Services (only applies to Junior Colleges and Pre-University Centres under the Singapore educational system)
Industry Classification	CPC 92110 Preschool Education Services CPC 92190 Other Primary Education Services CPC 92210 Secondary Education Services CPC 92220 Higher Secondary Education Services (only applies to Junior Colleges and Pre-University Centres under the Singapore educational system)
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the provision of preschool, primary, secondary and higher secondary (Junior Colleges and Pre-University Centres under the Singapore educational system) education services for Singapore citizens.
Existing Measures	Education Act, Cap 87

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Health and Social Services
Sub-Sector	Medical Services Pharmacy Services
Industry Classification	CPC 9312 Medical Services -
Type of Reservation	Market Access
Level of Government	Central
Description	<u>Cross-border Services:</u> Singapore reserves the right to adopt or maintain any limits on the number of doctors and pharmacists who can practice in Singapore.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Health and Social Services
Sub-Sector	Services provided by health-related professionals
Industrial Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or to maintain any measure in relation to the recognition of educational and professional qualifications for the purposes of admission, registration and qualification of health related professionals such as contact lens practitioners, dentists, doctors, nurses, midwives and traditional chinese medicine practitioners.
Existing Measures	Contact Lens Practitioner Act, Cap 53A Dentists Act, Cap. 76 Medical Registration Act, Cap. 174 Nurses and Midwives Act, Cap 209 Pharmacists Registration Act, Cap. 230 Traditional Chinese Medicine Practitioners Act, Act 34 of 2000

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Distribution and publication of printed media
	Printed media refers to any publication containing news, intelligence, reports of occurrences, or any remarks, observations or comments relating thereto or to any matter of public interest, printed in any language and published for sale or free distribution at intervals not exceeding one week.
Sub-Sector	=
Industry Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain measures in relation to the distribution and publication of printed media.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Post and Telecommunications Services
Sub-Sector	Telecommunications Services
Industry Classification	-
Type of Reservation	Market Access Most-Favoured-Nation Treatment National Treatment
Level of Government	Central
Measures	Info-communications Development Authority of Singapore Act, Cap. 137A Telecommunications Act (Cap. 323)
Description	<p><u>Cross-border Services and Investment:</u></p> <p>Singapore reserves the right to adopt or maintain any measure that accords equivalent treatment to persons of the other Party that limits ownership by persons of Singapore, in an enterprise engaged in the provision of public mobile and wireless telecommunications services in the territory of the other Party, including:</p> <ul style="list-style-type: none"> (a) Public Radiocommunication Services; Public Radiocommunication Services refer to Maritime and Aeronautical radiocommunication services. (b) Public Cellular Mobile Telephone Service (PCMTS); (c) Public Radio Paging Services (PRPS); (d) Public Trunked Radio Services (PTRS); (e) Public Mobile Data Services (PMDS); (f) Public Mobile Broadband Multimedia Services; and (g) Public Fixed-Wireless Broadband Multimedia Services
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Sewage and refuse disposal, sanitation and other environmental protection services
Sub-Sector	Hazardous Waste Management, including collection, disposal and treatment of hazardous waste Hazardous waste includes bio-medical waste
Industrial Classification	CPC 9402 Refuse disposal services (only applies to hazardous waste management, including collection, disposal and treatment of hazardous waste)
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to hazardous waste management, including the collection, treatment and disposal of hazardous waste. Hazardous waste includes bio-medical waste.
Existing Measures	

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Sewage and refuse disposal, sanitation and other environmental Protection services
Sub-Sector	Waste Water Management, including collection, disposal and treatment of waste water.
Industrial Classification	CPC 9401 Sewerage Services (only applies to wastewater management, including the collection, disposal and treatment of waste water)
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to wastewater management, including the collection, treatment and disposal of waste water.
Existing Measures	Code of Practice on Sewerage and Sanitary Works Sewerage and Drainage Act, Cap. 293A

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Social Services
Sub-Sector	-
Industrial Classification	CPC 933 Social Services
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or to maintain any measure in relation to the provision of social services but shall not adopt or maintain any such measure in derogation of obligations or commitments undertaken in the Financial Services Chapter.
Existing Measures	-

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Trade services
Sub-Sector	Supply Of Potable Water
Industrial Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	<u>Cross-border Services and Investment:</u> Singapore reserves the right to adopt or maintain any measure in relation to the supply of potable water.
Existing Measures	Public Utilities Act, Cap. 261 Public Utilities Act 2001, Act 8 of 2001

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport Services
Sub-Sector	Public Transport Services
	Public Transport Services are services which are used by and accessible to members of the public for the purposes of transporting themselves within Singapore.
Industry Classification	-
Type of Reservation	National Treatment Most-Favoured-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Board of Directors
Level of Government	Central
Description	Cross-border Services and Investment: Singapore reserves the right to adopt or maintain any measure in relation to the provision of public transport services.
Existing Measures	Rapid Transit Systems Act, Cap. 263A Land Transport Authority of Singapore Act, Cap. 158A Public Transport Council Act, Cap. 259B

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	Transport services
Sub-Sector	Land Transport Services Services Auxiliary to All Modes of Transport
Industry Classification	CPC 742 Storage and warehousing services CPC 748 Freight transport agency services (does not apply to freight forwarding by air) CPC 749 Other supporting and auxiliary transport services
Type of Reservation	National Treatment Most-Favored-Nation Treatment Market Access Local Presence Performance Requirements Senior Management and Boards of Directors
Level of Government	Central
Description	<p><u>Cross-Border Services and Investment</u></p> <p>Singapore reserves the right to adopt or maintain any measure that accords equivalent treatment to storage and warehousing, freight forwarding (excluding freight forwarding by air), inland trucking, container station and depot services of the other Party.</p> <p>For the purposes of clarity, this reservation does not extend to express delivery services as defined in the reservation for postal services, which is reproduced as follows for ease of reference -</p> <p>“Express delivery services means –</p> <ul style="list-style-type: none"> (i) the expedited collection, transport and delivery of documents, printed matter, parcels and/or other goods, while tracking the location of, and maintaining control over, such items throughout the supply of the services. Express delivery services involving letters must meet the standards of express letter services stated in paragraph (b) and (c) of the reservation for postal services; and (ii) services provided in connection therewith, including, but not limited to, customs-related services and logistics services for the purposes of providing express delivery services.

Subject to Legal Review for Clarity and Consistency

DRAFT

Express delivery services may also include collection from an address designated by the sender; release upon signature; guarantee of delivery within a specified time; electronic and/or other advanced technologies; and ability of the sender to confirm delivery. Express delivery services does not include (1) air transport services (2) services supplied in the exercise of government authority; and (3) maritime transport services.”

Existing
Measures -

Subject to Legal Review for Clarity and Consistency

DRAFT

Sector	All
Sub-Sector	-
Industry Classification	-
Type of Reservation	Most-Favored-Nation Treatment
Level of Government	Central
Description	<p><u>Cross-Border Services and Investment*</u>:</p> <p>Singapore reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of this Agreement.</p> <p>Singapore reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force or signed after the date of entry into force of this Agreement involving:</p> <ul style="list-style-type: none">(a) Air Services;(b) Maritime and Port matters;(c) Land Transport matters.
Existing Measures	-

* The United States and Singapore note the recent decision of the arbitral tribunal in *Maffezini (Arg.) v. Kingdom of Spain*, which found an unusually broad most favored nation clause in an Argentina-Spain agreement to encompass international dispute resolution procedures. *See* Decision on Jurisdiction ¶¶ 38-64 (Jan. 25, 2000), *reprinted in* 16 ICSID Rev. – F.I.L.J. 212 (2002). By contrast, Article 15.03(2) {Most Favored Nation Treatment} is expressly limited in its scope to matters “with respect to the establishment, acquisition, expansion, management, conduct, operation, and sale or other disposition of investments. . . .” The United States and Singapore share the understanding and intent that this clause does not encompass international dispute resolution mechanisms such as those contained in Section C of Chapter 15 of this Agreement, and therefore could not reasonably lead to a conclusion

Subject to Legal Review for Clarity and Consistency

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similar to that of the *Mafezzini* case.